19 September 2018

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Twenty-eighth Meeting of Heads of National Drug Law Enforcement Agencies, Africa
Dar es Salaam, United Republic of Tanzania
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Draft report

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Consideration of topics by working groups

Issue (b): Best practices in prison reform and alternatives to conviction or punishment

1. The working group held one meeting on 19 September 2018. In its consideration of the topic under review, the working group made the following observations:

(a) Prison reform efforts are undertaken in several countries of the region affecting pretrial, trial and post-trial stages. The reforms include special measures for children and minors, drug users and those found in possession of small quantities of drugs;

(b) Alternatives to imprisonment such as electronic surveillance, parole, fines, use of bail, suspended conviction as well as community service are implemented or considered through legal and policy reforms, while custody is often considered a last resort. Alternatives to imprisonment are a measure to reduce congestion in prison settings;

(c) Legal reform and drug sentencing guidelines are implemented or proposed across the African continent. These measures are undertaken to ensure proportionality of sentencing, matching the gravity of the offences, and are guided by international standards and instruments;

(d) Rehabilitation measures for offenders have received renewed attention in the region and include skills development, education and health services with a focus on drug treatment and HIV services, legal aid, post-release social reintegration and the rehabilitation of minors in conflict with the law.

2. The working group drew up the following conclusions:

(a) While progress has been made on prison reform including legal and policy changes, there is a need to approve and operationalize these measures and ensure monitoring of their implementation and effectiveness;

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(b) Several measures on alternatives to imprisonment are underway, but capacity-building and infrastructure development are needed to operationalize them;

(c) Skills development programmes, health and legal aid services are increasingly made available in prisons but need to be further developed in the region.

3. The working group adopted the following recommendations:

(a) Countries of the region are encouraged to expand practical measures for alternatives to imprisonment including for drug users and those found in possession of small quantities of drugs;

(b) Governments should consider multisectoral programmes for drug offenders, including specialized programmes for vulnerable groups such as women offenders, drug users, minors and the elderly. These programmes should address skills development, education, health services with a particular focus on drug treatment and HIV services, legal aid and post-release social reintegration measures;

(c) Governments are encouraged to develop or strengthen measures for oversight and monitoring of prison settings and other detention facilities in order to ensure compliance with international standards and human rights instruments.